

CITY OF COTATI

October 24, 2007

**Minutes of the Regular City Council Meeting/Joint Meeting of the City Council
And Cotati Redevelopment Agency Board of Directors
201 W. Sierra Avenue, Cotati, CA 94931-4217**

CALL TO ORDER OF CITY COUNCIL MEETING

Mayor Fox called the meeting to order at 6:31 p.m.

ROLL CALL

Councilmembers present: Guardino, Minnis and Orchard, Vice Mayor Gilardi, Mayor Fox
Staff present: Thompson, Walter, Woltering (present when reconvened to open session), Hayes
(present when reconvened to open session), Taylor

Mayor Fox announced that the Council would adjourn to closed session and opened the floor to public comment regarding closed session topics; there being no one wishing to speak, the Council adjourned to closed session in the conference room at 6:32 p.m.

PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54950.5 ET SEQ, THE CITY COUNCIL WILL MEET IN CLOSED SESSION:

CITY COUNCIL MEETS IN CLOSED SESSION FOR THE REASONS INDICATED BELOW

1. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Cal. Gov't Code section 54956.9(b)
Number of potential cases: unknown.
2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: City Attorney

RECONVENE TO OPEN SESSION OF CITY COUNCIL MEETING

The Council reconvened in open session at 7:01 p.m. in the Council Chambers.

Mayor Fox dedicated the moment of silence to those who are affected by the fires in southern California.

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

WELCOME RECEPTION IN HONOR OF CITY MANAGER DIANNE THOMPSON

Mayor Fox welcomed Dianne Thompson as the new City Manager. He called a recess at 7:04 p.m. and reconvened the meeting at 7:19 p.m.

CLOSED SESSION ANNOUNCEMENT- None.

APPROVAL OF MINUTES AND NOTICE OF WAIVING READING

1. Regular meeting of October 10, 2007
- Notice of waiving the reading of all ordinances introduced and/or adopted under this agenda

Moved by Councilmember Minis, seconded by Councilmember Guardino and passed unanimously to approve the minutes of the Regular meeting of October 10, 2007 and to waive the reading of all ordinances introduced and/or adopted under this agenda.

APPROVAL OF FINAL AGENDA

The Council concurred to approve the final agenda.

CITIZEN BUSINESS

Brittni Kiick, Rancho Cotate Associated Student Body President, introduced Reneé Cumming, Courtney Nicks and Taylor Morrison presented the City with a framed photo montage in appreciation of the City's support in the school's October 13, 2007 homecoming parade.

Ingvold K. of Sierra Mobile Home Park requested follow up on a noise pollution grievance he had presented to Council in February. He proposed an amendment to the noise pollution ordinance to address the noise of 'jake breaks' on Highway 101 and low-flying aircraft.

Adrienne Lauby of Cotati requested that hot water be provided along with coffee at City Council meetings.

COUNCILMEMBER DIRECTION ON FUTURE AGENDA ITEMS

Council requested an update on the drought-resistant demonstration.

ORAL AND WRITTEN COMMUNICATIONS

Announcements

Mayor Fox announced the following event(s):

- Join the Community and Environment Commission on Tuesday, October 30 from 5:00 – 7:00 PM at City Hall, 201 West Sierra Avenue, for an artists' reception and viewing of the 2nd public art installment by "Artworks", an art group from Charles Street Village.
- Cotati's 4th annual Halloween party takes place on Friday, Oct 26 from 6:00 – 9:00 PM. This year's event is sponsored jointly by the City of Cotati Recreation Department, Thomas Page Parent-Teacher Association, and service groups from Sonoma State University. Pizza dinners will be available for sale, otherwise the entire event is free.

Finance Director Hayes and City Manager Thompson provided additional details on the Halloween party.

Report from Sonoma State University Representative

2. Sonoma State University Report on University Activities and Events

Nicole Schlossberg, Student Representative, Sonoma State University, reported on University activities and events.

Report by Student Honorary Mayor

3. Olivia Strouse of Mountain Shadows Middle School, reported on her interests and responded to questions from Council.

Mayor Fox presented Ms. Strouse with a certificate of appreciation.

Correspondence and Presentations

-- No Items.

Proclamation(s)

-- No Items.

Commissions, Committees, Boards and Task Forces

-- No Items.

CITY MANAGER REPORT

City Manager Dianne Thompson reported the following:

- Downtown Specific Plan: An informational update meeting for the Downtown Specific Plan is scheduled for Saturday, November 17 at 10:00 a.m. in the Cotati Room at the Ray Miller Community Center
- Highway 101 Widening: The CalTrans design team has submitted preliminary soundwall designs that incorporate a musical theme as suggested by City representatives. Pedestrian and bicycle improvements will be included on Highway 116, as well as replacement of the Highway 116 overcrossing.
- Robert Leys, a local architect, has offered to design the Cotati museum free of charge to the City.

CONSENT CALENDAR

READING OF CONSENT CALENDAR TITLES:

4. Adoption of Ordinance No. 801 Adding Section 17.42.071, Titled Formula-Based Fast Food Restaurant to the Cotati Municipal Code and Amending Sections, 17.22.020 (Table 2-3), and 17.90.020, to Add Specific Provisions Relating to Formula-Based Fast Food Restaurants (*Director of Planning*)
5. Approve Street Names for “The Village at Cotati Commons” (Northeasterly Corner of Alder Avenue and Gravenstein Highway)(*Director of Planning*)
6. Approval of Funding Agreement with the Sonoma County Water Agency for the FY 2007/08 Water Conservation Program and Designating the Water Conservation Coordinator (*City Engineer*)
7. Approval of Amendment to Luhdorff & Scalmanini Consulting Engineers Consultant Services Agreement and Appropriation of Funds Not-to-Exceed \$10,000 (*City Engineer*)

Council concurred to pull item no. 4 for separate consideration.

Councilmember Minnis announced that she would recuse herself from item no. 4 due to conflicts of interest.

Moved by Councilmember Orchard and seconded by Councilmember Guardino to approve items 5 through 7 on the Consent Calendar.

Yes: 5 No: 0 Abstain: 0

Moved by Councilmember Orchard and seconded by Councilmember Guardino to approve items 4 on the Consent Calendar.

Yes: 3 No: 1 (Gilardi) Abstain: 1 (Minnis)

PUBLIC HEARINGS

8. Consider Adoption of an Urgency Ordinance Extending the Moratorium on the Conversion of Mobile Home Parks to Other Uses and the Conversion of Mobile Home Parks to Resident Ownership From October 28, 2007 to October 24, 2008 (*Director of Planning*)

David Woltering, Director of Planning, presented the staff report.

Mayor Fox opened the public hearing.

Chris Cone of Sierra Mobile Park and president of the Sierra Mobilehome Owners' Association thanked the City for its support of affordable housing and described efforts to support mobilehome owners at the state level.
Adrienne Lauby of Cotati indicated support for the proposed extension of the moratorium.

Patrick Carter of Cotati expressed his appreciation of staff and Council's support for the moratorium.

Moved by Vice Mayor Gilardi, seconded by Councilmember Orchard, to adopt and waive reading of the text of Ordinance No. 810 entitled: AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COTATI FURTHER EXTENDING THE TEMPORARY MORATORIUM ON THE CONVERSION OF MOBILE HOME PARKS TO OTHER USES AND THE CONVERSION OF MOBILE HOME PARKS TO RESIDENT OWNERSHIP FROM OCTOBER 27, 2007 TO OCTOBER 24, 2008

Yes: 5 No: 0 Abstain: 0

REGULAR AGENDA

9. Receive and File Report Relating to Cotati Municipal Code Section 7. 12.040 (Animal Leash Law) (*Chief of Police*)

Chief of Police Robert Stewart presented the staff report.

Mayor Fox opened the floor for public comments.

Tony Adler, former Animal Control Officer for the City of Cotati, encouraged the City to enforce the leash law and to hire an Animal Control Officer.

Gail (last name not given) discussed her experiences with unleashed dogs and expressed support for increasing the fine, adding signage regarding the leash law and perhaps adding an Animal Control Officer.

Teresa Eaton of Sierra Mobile Park indicated agreement with the previous speaker and added her support for providing more opportunity to allow people to have their dogs unleashed.

Michelle Berman of Cotati suggested raising the fine and researching grant funding to offset the cost of enforcing the leash law.

Nichole Schlossberg of Cotati discussed her experiences with unleashed dogs and expressed support for enforcing the leash law and increasing the fine.

Ingvold K. of Cotati expressed concern that if the fine were raised, dog owners might not bail out their dogs. He believes animal control is not the best use of police officers' time.

Adrienne Lauby of Cotati suggested increasing enforcement to send a message, and if the fine is raised, to do a first warning, second warning, etc.

Chief Stewart responded to questions from the Council and discussion ensued regarding contracting with Rohnert Park to utilize that City's Animal Control officers, the need for individuals to report violations, conducting random sweeps of enforcement during the early evening hours and other times when folks are out with their dogs, and the need for a dedicated animal control.

Further discussion took place regarding increasing signage and fines, consistency of enforcement, vandalism of leash-law signs, adding public space for unleashed dogs, lack of compliance with and enforcement of animal waste laws and concerns regarding pollution of the creek from animal waste. Council requested that staff review and report back at a future meeting:

- Increased enforcement;
- Staffing (augment existing or contract out);
- Options for controlling dog waste;
- Pollution caused by dog waste;
- Options for off leash areas;
- Signage improvements;
- Public outreach and education regarding leash and animal waste laws.

JOINT MEETING OF CITY COUNCIL AND REDEVELOPMENT AGENCY BOARD OF DIRECTORS

Call to Order

Mayor Fox called the joint meeting to order at 8:41 p.m.

Roll Call

Council/Agency Members present: Guardino, Minnis, Orchard, Gilardi, Fox
Staff present: Thompson, Nebb, Hayes, Taylor

Consent Calendar

READING OF CONSENT CALENDAR TITLES:

-- No Items.

Regular Agenda

-- No Items.

Adjournment of joint meeting; reconvening of regular meeting of City Council

Mayor Fox adjourned the joint meeting of the City Council and Redevelopment Agency Board of Directors and reconvened the regular meeting of the City Council at 8:41 p.m.

DISCUSSION AND/OR ACTION ON PENDING STATE OR FEDERAL LEGISLATION AND ACTIVITIES

CITY COUNCIL REPORTS AND COMMENTS

Councilmembers reported briefly on meetings and activities they have recently attended.

ADJOURNMENT

Mayor Fox adjourned the meeting at 8:43 p.m.

Respectfully Submitted,

Deputy City Clerk